

# INTRODUCTION

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This booklet provides a guide for airport owners to initiate an airport improvement project and ultimately see it constructed.

If you have any questions about the program, please contact:

Wisconsin Department of Transportation  
Division of Transportation Infrastructure Development  
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## TEAMWORK

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The airport development process involves teamwork between the Federal Aviation Administration (FAA), the Wisconsin Department of Transportation, Bureau of Aeronautics (Bureau), and the airport owner from initial planning to project completion. It is very important to understand the vital roles of both the airport owner and the Bureau. **Before you proceed to work toward an airport development project, we recommend you read this entire handbook to get a complete understanding of the teamwork involved.**

# UNDERSTANDING OUR ROLES IN AIRPORT DEVELOPMENT

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## The Federal Government's Role

The federal government provides federal funding for airport improvement projects through the FAA's Airport Improvement Program (AIP). The AIP is funded from a federal aviation trust fund for the purpose of improving the nation's aviation infrastructure. The FAA administers this program.

## The State Government's Role

The Bureau is responsible for assisting in the development of a system of airports to support the aviation needs of the citizens of the state. To do this, the Bureau guides airport development through a process that begins with broad policy planning and includes progressively more detailed elements of system planning, airport master planning, programming, and finally individual airport development. Through an agreement with the airport owner, the Bureau oversees project planning, coordination, design, land acquisition and construction, as well as all financial transactions for an airport project.

## The Airport Owner's Role

The airport owner is the driving force for individual airport development projects. The Bureau will provide technical advice, but the ultimate decision to initiate an airport improvement project and see it through, ultimately belongs with the airport owner.

# SYSTEM PLANNING AND PRIORITIZING

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Airport system planning identifies a system of airport facilities needed to meet the future aviation needs of the nation and the state. These system plans are the framework around which funding decisions are made.

The FAA's *National Plan of Integrated Airport Systems* (NPIAS) and Wisconsin's *State Airport System Plan* (SASP) serve as the system plans for the nation and the State of Wisconsin.

- At the federal level, the NPIAS identifies a system of airports throughout the country that the FAA considers is necessary for a national air transportation system. These airports are then eligible to receive federal grants.
- At the state level, the SASP identifies airport needs such as runway extensions, new runways, navigational aids, and pavement replacements over a 20-year period. The airports identified in the SASP are eligible to receive state funding for airport improvements. This plan expands beyond the NPIAS to include additional airports that would best serve the balanced air transportation needs of the state.

## FUNDING

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Funding assistance for airport improvement projects may come from federal aid, state aid, or the state's Advance Land Acquisition Loan Program. Following is a discussion of the three types of funding:



## **Federal Financial Aid**

Under the provision of the AIP, the FAA provides federal financial aid grants to Wisconsin in two ways:

1. Individual grants to primary commercial service airports; and,
2. A block grant to the Wisconsin Department of Transportation (WisDOT) which in turn administers the funds to construct projects at eligible general aviation airports. Wisconsin is one of nine states that receive federal financial aid through the federal block grant program.

Airports included in the NPIAS are eligible for federal aid.

### **Primary commercial service airports**

A Primary Commercial Service Airport is an airport that has scheduled air carrier service and enplanes 10,000 or more passengers annually. These airports receive individual grants from the FAA through the Bureau based on the number of annual enplanements and the landed weight in pounds for cargo handled at that airport. The airport owner may use these funds for any federally eligible work to be undertaken on the airport.

Airports in this category can also compete for additional funds, called discretionary funds. These funds are awarded using a national priority rating system and FAA policy. The amount of discretionary funds that flow into Wisconsin varies each year based on the national priority for funding of projects requested.

The federal share on individual grants issued to primary commercial service airports is generally 90%. Exceptions include 80% for noise projects and 75% for development projects at General

Mitchell International Airport. The state and the airport owner usually divide equally the remainder of eligible project costs.

### **General aviation airports**

General aviation airports include airports used by the U.S. Postal Service, airports with military activity, and other public-use airports eligible for federal funding. Federal financial aid for general aviation airports is awarded to the state annually through a block grant. The state distributes these funds for airport improvement projects through individual funding allocations or "Findings" (see Appendix A for definition). These funds are used to hire engineers, planners, and contractors to accomplish the project. Under the block grant program, the distribution of funds within the state reflects state aviation priorities.

For general aviation airport projects the airport owner's share is 20%, with the remaining 60% federal, and 20% state funds. By law, the state cannot contribute more money than the airport owner on federal aid projects. If federal funds are exhausted, the remaining costs are shared 50% state, 50% airport owner. This also applies to non-federally eligible work (such as auto parking lots and entrance roads) included in a federal aid project.

## **State Financial Aid**

All publicly-owned airports and privately-owned reliever airports are eligible for state financial aid. However, the state's designation of airport classification in the SASP determines the extent to which an airport can be developed with these funds. Development beyond these guidelines may not be eligible for funding depending upon the justification of need for the specific development. This determination is made on a case-by-case basis.

State financial aid is available through the Bureau, and is provided by the issuance of a Finding approved by the Governor. Appropriation of funds depends on individual airport needs and Bureau priorities.

For projects receiving federal financial aid, the airport owner and Bureau share equally the non-federal costs.

For projects not involving federal financial aid, the state normally pays:

- 80% of the cost of airside development, and;
- 50% of landside development projects. (Refer to Table on Page 5)

The state's contribution toward the cost of eligible buildings is limited to \$500,000. The state cannot participate in the cost of hangars or fuel facilities.

## **Advance Land Acquisition Loan Program**

The Advance Land Acquisition Loan Program was created to lend state funds to the owners of public-use airports included in the SASP. These funds are used for purchasing land essential for airport development and approach protection.

*It is Bureau policy that all land needed for general aviation projects seeking state or federal aid be purchased prior to funding approval.* The land-loan program is available to general aviation airport owners to assist them in meeting this requirement. It also assists airport owners to purchase properties when they come up for sale and the airport owner has not budgeted for the purchase. The program operates as a revolving fund, where loan repayments are made available for future loans. Listed below are some of the program benefits.

Acquisition of land before receipt of federal financial aid allows construction to begin at the earliest possible date, and minimizes the need for funding amendments caused by land cost overruns.

In addition to property acquisition costs, other costs associated with the project are eligible for loans through this program. These costs include:

- feasibility studies;
- land surveys;
- airport layout plan updates;
- environmental studies (including agricultural impact statements);
- project plans and specifications;
- other incidental expenses of acquisition such as appraisals, relocation plans, and hazardous materials surveys; and
- legal services associated with land acquisition.

Loans are available for up to 80% of eligible costs, for a maximum term of five years, with simple interest payable annually at the rate of 4% on the unpaid balance.

The airport owner must provide 20% of the estimated eligible project costs up front. Upon receipt of state or federal aid funding for the project the loan must have been repaid in full.

## **Funding Flow**

For land-loan projects, the airport owner's share of the project is used to begin the preliminary work. The funds for the preliminary work are then applied to the airport owner's share of the land-loan and ultimately the state or federal aid project. This procedure allows work to begin on a project before state or federal funds are available.

For projects not requiring land acquisition, the preliminary work will initially be funded based on a 50% airport owner share and 50% state share. As stated above, funds for preliminary work are also applied to the airport owner's share. In some cases, a third party (i.e., private corporation, individual) may donate funds toward the airport owners' share. For any project, regardless of how it is funded, the airport

owner must commit their share of the project funds before state and federal funds can be secured.

The table below lists the general categories for eligible work at general aviation airports that may receive federal and/or state aid.

### **Eligible Work at General Aviation Airports**

<b>Airside Work (20% local match)</b>	<b>Landside Work (50% local match)</b>	<b>Not Eligible for State or Federal Aid</b>
Runways, connecting taxiways and aprons	*Terminal Buildings (\$500,000 limit)	Hangars
Parallel taxiways	Fencing (security or deer)	Installation or removal of Fueling Facilities
Airfield lighting and navigational aids	Auto parking lots and entrance roads	Environmental Cleanup Projects
Site preparation for taxiways and hangars	Utilities	Maintenance work (e.g. pavement crack sealing, mowing equipment)
Automated Weather Observing System (AWOS)	Land acquisition for the above work	Exclusive use of areas (e.g. apron/building area) which can only be used by one tenant
Obstruction removal		
Ground Communication Outlets		
Land acquisition		

\*Generally only funded at primary airports

Primary commercial service airports have several different eligibility requirements. Your Bureau project manager will help determine the eligible work at your airport (i.e., snow removal equipment, airport rescue and fire fighting equipment).

An airport owner may include one or several listed items in a request for financial aid. Funding consideration is given for each work item listed. Priority is given to work that will enhance safety or keep the present airport operational.

## **FIVE-YEAR AIRPORT IMPROVEMENT PROGRAM**

Even though a work item is eligible for funding, it may not be constructed. The

Bureau always has more funding requests than it can cover. The state and federal priority systems help the Bureau make decisions about what work to include in the Five-Year Airport Improvement Program, as well as the schedule of work included.

The Five-Year Airport Improvement Program is the Bureau's tool for scheduling individual airport projects that

are eligible for federal and state assistance. Projects with the highest priority will be included in the program for early consideration. The first two years of the program's five-year schedule primarily includes only projects that have been formally petitioned by the airport owner. Many of the projects in the last three years of the program are tentative. The program is dynamic in that it changes due to fluctuating funding levels at federal, state, and local levels of government.

## INITIATING A PROJECT INTO THE PROGRAM

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There are three ways to include a project in the program:

### 1. Statement of Project Intentions

Every other year, the Bureau requests a Statement of Project Intentions from each airport eligible for state or federal financial aid. State statute requires airport owners to submit their Statement of Project Intentions to the Bureau by July 1 of each even-numbered year. This provides the Bureau with an indication of future projects for which it can begin to plan.

After the Bureau has received all the project intentions, **eligible** airport development projects are then prioritized. Federal and state ranking systems are used to select specific projects for federal or state funding assistance from among all submitted project intentions. The projects selected reflect the Bureau's judgment of a balance among the competing requests for airport improvement funding in light of identified needs, revenue resources and constraints, and social, economic, and environmental impacts. The program will include the projects given the highest

priority. Because many airports are competing for limited funds, a legitimate project may be delayed or excluded from the program.

### 2. Petition Resolution

Projects identified in Statements of Project Intentions cannot be included in the first two years of the program until formally initiated through a petition (see Appendix B). The governing body owning the airport passes this resolution. Projects that have been requested by resolution are scheduled in the program based on eligibility, priority, and availability of state, federal, and local funds. It also takes into account the time needed to accomplish preliminary work such as preliminary planning, environmental studies, design, and land acquisition.

### 3. State Airport System Plan

A third method of inclusion in the latter years of the program is through identification of need through the SASP. Projects included in the program through this method serve as a reminder to airport owners of the needs identified for their airport.

Inclusion of a project in the program **does not** guarantee funding on this schedule. All entries into the program are based on assumptions about available revenue, legislative decisions, project timing and follow through by the airport owner.



## GETTING STARTED

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**The petition process should begin three to five years before construction is desired, depending on the complexity of the project.**

We highly encourage airport owners to communicate with the Bureau prior to beginning the petition process. The Bureau can help the airport owner formulate a complete project plan, identify possible issues that may arise, discuss options, and provide other information and forms prior to adopting a petition resolution.

## **Pre-Petition Public Hearing**

State statute requires the airport owner to hold a public hearing. Public hearings solicit public input on the proposed development as early as possible and give all affected parties the opportunity to participate. Before adopting a Petition Resolution for state and federal airport aid a public hearing must be accomplished.

### **Public Hearing Notice**

The airport owner must publish a Class 1 legal notice in the local legal newspaper at least ten (10) days prior to the public hearing. All work items the airport owner wishes to petition must be advertised and addressed in the public hearing.

Distribute copies of all hearing notices to the Bureau, each land owner affected by the proposed development, and to any other interested parties.

### **Public Hearing Guidelines**

A representative of the airport owner or any other appropriate person may conduct the hearing. Several hearing guidelines should be followed:

1. Post an exhibit showing the airport improvement and any proposed land acquisition.
2. Advise attendees that testimony should be relevant and factual.

3. Inform attendees that written statements and exhibits will be accepted with a final date for receipt of these specified.
4. Prepare a typewritten transcript or outline of the hearing.

**Note:** The Bureau recommends that the airport owner hold a public information meeting before the pre-petition hearing for proposed projects that involve more than three land owners, or which may generate economic, social, or environmental controversy. The format of the information meeting can be less formal than the pre-petition hearing and structured to provide information to concerned citizens. Bureau staff will not testify at public hearings, but at the airport owner's request may attend a public information meeting to answer questions.

### **Petition Resolution**

Following the pre-petition public hearing, the local governing body or bodies that own the airport must pass a resolution petitioning the Wisconsin Secretary of Transportation for federal and/or state aid. If an airport commission passes a petition resolution, the airport owner must pass a resolution ratifying the commission's petition.

### **Submitting a Petition Package**

After the petition resolution is passed, the petition package, which consists of the following, can be submitted to the Bureau:

- The transcript or outline of the pre-petition hearing proceedings,
- a sketch of the work,
- a copy of the published legal notice of the hearing and affidavit of publication,
- the Petition Resolution adopted by the governing body,

- two copies of the Agency Agreement between WisDOT and the airport owner (see below), signed by two airport owner representatives designated in the petition resolution; and
- documented need for the project (for runway extensions).

## **Eligibility Statement**

This statement is the Bureau's official response to the airport owner's petition for state or federal aid. This statement reviews each item of work identified in the petition resolution and recommends approval or denial of eligibility on each item. For a proposed project to receive a favorable recommendation, need for the project must be documented. Documentation could include:

- SASP or NPIAS inclusion,
- a comprehensive airport master plan,
- a project feasibility study; or
- documented need statements from the airport owner or airport users.

Master plans and feasibility studies often are not available or up to date at this point in the process. The airport owner may need to submit a petition requesting funding assistance for a plan or study before a project can be justified. Planning studies are discussed in Step 2: Project Development.

## **Agency Agreement**

The Agency Agreement (see Appendix A), submitted with the Petition Resolution, designates the Wisconsin Secretary of Transportation as the airport owner's agent. It is executed by the Bureau Director if there is an approved eligibility statement and initial work is ready to begin. The agreement empowers the Bureau to enter into

contracts and to accept and disburse funds on the airport owner's behalf.

With assistance and guidance from the airport owner, the Bureau handles most project tasks. These could include:

- hiring consultants for planning, environmental and engineering needs,
- acquiring land,
- applying for federal aid,
- advertising for bids,
- awarding and administering construction contracts; and
- project financial accounting.

## **Keeping Your Airport Safe, Financially Sound And Well Maintained**

In signing the petition resolution and the Agency Agreement, the airport owner agrees to maintain and operate the airport in accordance with Wisconsin Administrative Rule TRANS 55 and with federal grant assurances.

Adoption of TRANS 55 protects the public by ensuring that publicly funded investments in airports, once constructed, are maintained in a safe, serviceable, and financially sound way that supports and provides value to public infrastructure development. TRANS 55 obligates the following to the airport owner:

- cooperate in the completion of the project;
- light, operate, and maintain the airport in a safe and serviceable condition in accordance with minimum standards for a 20-year period;
- clear and protect the aerial approaches to the airport;
- hold good title to the airport;
- adopt height limitation zoning, minimum aeronautical services



standards and vehicular control ordinances;

- provide suitable aircraft parking areas; and
- refrain from granting exclusive rights or leases.

Projects involving federal aid also must adhere to federal sponsor assurances (see Appendix B). While federal assurances are much more detailed, if an airport meets its obligations to the state, they will most likely also conform to the federal assurances. The airport owner should talk with their Bureau project manager for more detailed information on these assurances.

## Project Development

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The time from the initiation of a project to its construction depends on the complexity of the project and availability of funds. A simple project can be conceived, designed and constructed in two to three years. Land acquisition can add one or more years. An Environmental Assessment can add several years. Unforeseen delays at the federal, state, and local levels can stretch the project out even longer. **The average project takes five to six years from inception to close-out.** One simple way for the airport owner to prevent delays on their project is to designate one local contact person to represent the owner in its communication with the Bureau during the project.

## Planning Studies

After the proposed improvement is determined to be in accordance with state and federal system plans, further planning studies are often needed to refine the project scope to meet the airport's needs and assure prudent use of public funds. A planning study can

take the form of an airport layout plan, a feasibility study, or a master plan.

To be eligible for state or federal funding, airport improvements must be shown on an approved airport layout plan. An airport layout plan is a set of engineering drawings that show existing and proposed airport facilities for a 20-year planning period. It is often necessary to update the layout plan to include changes in proposed improvements. The Bureau can make minimal changes, thus saving consulting engineering costs. Showing improvements on an airport layout plan neither guarantees that they will be built, nor obligates the airport owner to build them.

More complex projects may need a



feasibility study to define needs, identify and evaluate alternatives, and recommend the best solution. A feasibility study would also provide such information as preliminary cost estimates and land requirements, and a general environmental overview.

An airport master plan is a report that analyzes an airport's growth and identifies the additional facilities needed to accommodate that growth over the next 20 years. Airport master plans are usually a stand alone project and most appropriate for larger airports, with complex facilities and multiple services. Airport master plans usually include an airport layout plan.

## Consultant Selection

After approval of the project eligibility statement and the project is programmed, the Bureau advertises for a consulting engineer to perform planning, design, construction or other related engineering services necessary for the project administration. The selection of consultants is based on their qualifications, experience, and workload. The selection committee is comprised of Bureau personnel and a representative of the airport owner.

## **Environmental Issues\_**

Wisconsin and national environmental policy acts require that the economic, social, and environmental impacts of a proposed airport improvement project be determined as a prerequisite to receiving state or federal funding.

The environmental action that must be taken depends on the type of project and the extent of the environmental impact. These environmental actions are described below.

- No environmental documentation required. This applies to projects with no off-airport impacts such as seal coating of pavements, runway marking, and replacement of runway and taxiway lights.
- Categorical exclusion. This applies to projects involving minor impacts or no impacts outside the airport, such as runway reconstruction, installation of runway lights and beacons, and landscaping. The processing time varies from one week to several months
- Environmental assessment (EA). This applies to projects with potential for more significant impacts. Typical projects requiring an EA include:
  - \* construction of a new runway,
  - \* major runway extensions,
  - \* major terminal expansions,
  - \* installation of an approach lighting system,
  - \* development of a new airport site, and
  - \* the purchase of land for those purposes.

As agent for the airport owner, the Bureau arranges for the preparation of an environmental assessment. The time required for preparation and approval varies from several months to two years or more, depending on the complexity of the project, the extent of the impacts, and the project controversy. If a project does not have significant impacts, a Finding of No Significant Impact (FONSI) can be issued by the Bureau and WisDOT Bureau of Environment on state aid and block grant projects. FONSI's on primary airport projects are issued by the FAA.

## Environmental Impact Statement

If an EA documents that a project has significant impacts, an Environmental Impact Statement (EIS) may be required. Projects that require an EIS could involve significant noise impacts on residential areas, a new air carrier runway, or a new airport. In addition to the time required to process an EA, an additional year may be required to process an EIS. The FAA has final approval authority on an EIS, as well as ongoing approval of various steps throughout the process.

## Environmental Public Hearing

Projects involving an EA or EIS require an offer of environmental public hearing. A hearing officer, with experience holding such hearings, conducts the environmental public hearing. The purpose is to consider the economic, social and environmental effects of the proposed development and its consistency with the goals and objectives of local planning agencies.

The Bureau publishes a legal notice at least thirty days prior to the hearing date and advises the public where they can examine the preliminary environmental assessment report. The final environmental document addresses the testimony given at the hearing or and the information submitted within two weeks of the hearing.

Prior to the environmental public hearing, an information meeting is generally held to inform the general public about the scope of the proposed project. This meeting provides an opportunity for citizens to have their questions answered in an informal setting. This public information meeting should be similar in format to the meeting held before the pre-petition hearing.

## **Agricultural Impact Statement**

An Agricultural Impact Statement is required if more than five acres of any farm must be acquired, or if the project adversely affects a farming operation. The Bureau must send to the State Department of Agriculture, Trade and Consumer Protection (DATCP), details about the agricultural lands to be taken. DATCP in turn, may choose to prepare an Agricultural Impact Statement. In the preparation of the environmental documents, consideration is given to the effects on agricultural lands and the results of the Agricultural Impact Statement.

## **Hazardous Materials Site Assessment**

Before title to the property is secured, all lands to be purchased for the project should be investigated for potential contamination by hazardous materials. Hazardous materials most commonly found are chemical components of gasoline or diesel fuel. Early detection of contamination is essential to permit timely consideration of options for avoidance or remediation.

The Bureau hires a consultant who specializes in site assessment and remediation to conduct a hazardous material site assessment on the airport owner's behalf. Remediation is NOT a project eligible cost.

## **Engineering Plans and Design Specifications**

An engineering consultant prepares plans and specifications for project construction after approval of the environmental document.

The consultant and the Bureau will hold meetings with the airport owner and other interested parties throughout the

preparation of the plans and specifications to ensure an appropriate and economical design. Plans and specifications must be submitted to the Bureau for approval at least 60 days prior to the proposed bid opening date.

## **Airport Users Conference**

Early in the preparation of the plans and specifications, the consultant will conduct an airport users conference to acquaint airport tenants, air carriers, the airport manager, and other interested parties with the project. Participants will discuss the scope of the proposed project, inconveniences which may occur during the construction process, and alternatives for keeping the disruption of airport operations to a minimum. The FAA requires a user's conference on federal aid projects and highly recommends the conference for state aid projects.

## **Project Construction Bids**

Once the above steps have been completed, the Bureau advertises for construction bids. Bids are opened on the second Thursday of each month at the Bureau's office. Bid openings are open to the public and airport representatives are welcome to attend.

A review and analysis of the bid documents is completed. If the work can be completed within the project funding limits the contract is awarded to the lowest responsible bidder.

## **Finding**

After construction bids are taken, the Bureau prepares a Finding and forwards it to the Governor for approval.

A Finding:

- describes the project;

- gives air and water quality assurances;
- commits state funds and/or federal block grant funds to the proposed project;
- states the amounts of federal, state, and airport owner funds which are required for the project; and
- is signed by the Governor.

A “Directive” is an amendment to a Finding and is approved by the Wisconsin Secretary of Transportation. If the amendment is less than \$10,000 in state funds, the Bureau Director can approve the Directive.

## **Grant Offer**

Up to this point in the project, federal funding has not been guaranteed on primary commercial service airport projects. The federal dollars become available through a federal grant offer. The FAA issues the grant offer based on bids for construction projects, detailed cost estimates for planning projects, and appraisals or acquisition costs for land purchases. The Bureau reviews and accepts the grant offer on behalf of the airport owner. The grant agreement is binding for twenty years. The FAA will reimburse construction costs if they can be paid for with entitlement funds, not with discretionary funds.

## **Grant Offer Approval**

After the Bureau Director accepts the grant offer on behalf of the owner of a Primary Commercial Service Airport, the Bureau asks the airport owner’s corporation counsel to sign a “Certification of Sponsor’s Attorney.” This document certifies that the grant has been approved in accordance with applicable state and federal laws.

## **Grant Amendments**

The Bureau may request that a Grant Amendment be issued if project costs exceed the grant. The amendment may increase the federal share by up to 15% of the amount of the original grant agreement. FAA generally issues a Grant Amendment only when all work is completed and the project is ready for financial closing. Thus, state and local funds must be used for costs incurred over and above the grant amount until final financial closing of the project.

# **REAL ESTATE ACQUISITION**

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## **Determination of Land Requirements**

The Bureau and the airport owner determine the airport project land needs. To document the acquisitions needed, land surveys are prepared. An Exhibit A map, which graphically depicts the parcels needed for the project, is also prepared. On behalf of the airport owner, the airport owner’s representative approves the acquisitions depicted on the Exhibit A map.

## **Appraisals**

The Bureau obtains an appraisal for each parcel to be acquired. An independent “review” appraiser prepares an appraisal review, which involves a thorough check of all phases of the appraisal process. The Bureau establishes a recommended purchase price for each parcel of land or easement based on the appraisal and appraisal review.

## **Negotiations**

The Bureau real estate manager handles land negotiations that begin with a

written offer which may not be less than the appraised value of the property. The property owner is given 60 days to have a separate appraisal prepared and paid for with project funds. These two appraisals then set the range for negotiating a settlement. Any negotiated settlement may be appealed to the County Condemnation Commission or Circuit Court within six months of closing.

## Relocation Assistance

If the project includes acquisition of a house, farm operation, or a business, the occupants of the acquired property may be entitled to certain benefits as prescribed under Wisconsin Relocation law. These benefits may include replacement payments, moving costs, and other costs necessary to assist the displaced persons in relocating to a new site. The Bureau hires a relocation specialist to prepare a Relocation Plan. The plan ensures that displaced persons will receive relocation services and be fairly and equitably paid for relocation expenses. Relocation benefits are computed based on the Relocation Plan, the amount paid for acquisition, and the cost of a replacement house, farm or business.

## Acquisition by Eminent Domain

If negotiations are unsuccessful, the airport owner can acquire the property under the eminent domain (condemnation) statute, Section 32, Wis. Statutes. The Bureau works with the airport owner's attorney in the preparation and service of all legal documents involved. Title of the property is legally transferred to the airport owner after all documents have been served, recorded and payments made.

The property owner has **two years** to take action to appeal for additional compensation to a Circuit Court or to the County Condemnation Commission. The

Bureau retains an attorney with expertise in litigating eminent domain cases to represent the airport owner throughout the legal process. The Bureau works closely with legal counsel in coordinating and preparing for any such hearings.



## AIRPORT CONSTRUCTION

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### Contracts

After award to the lowest responsible bidder, the contract and the performance and payment bond is sent to the contractor for execution. The performance and payment bond is sent to the airport owner for review and bond approval. The Bureau signs the construction contract, as agent for the airport owner.

At this point the funding has been secured and the Bureau signs the contract and issues a Notice to Proceed. The Bureau secures the services of a consulting engineering firm to provide the necessary construction inspection management, resident engineering, and testing services.

### Pre-Construction Conference

The construction engineering consultant conducts a pre-construction conference before work begins. Participants may include representatives of the Bureau, contractor, consultant, airport owner, and

the airport users. The purpose of the conference is:

- to discuss airport operations, security, and safety practices which will be implemented during construction;

- to discuss the federal requirements by which contractors and subcontractors must abide, including federal wage rates, and equal employment opportunities; and
- to coordinate work schedules.

## **Monitoring Construction**

The consulting engineering firm is responsible for ensuring the progress and the quality of the contractor's work. The firm can also function as a liaison between the contractor and the airport owner. During the course of construction, Bureau personnel make periodic inspections to monitor the adequacy of engineering services and the construction. Upon completion of the work, the consulting engineer, contractor, Bureau and airport owner conduct a final inspection for final acceptance and final payment. The contractor is responsible for faulty material or workmanship within a period of one year after the date of final acceptance.

## **Project Completion**

The Bureau maintains a complete financial record for each project and disburses funds during the course of the work. After completion and acceptance of all construction, all record drawings submitted, and purchased and clear title established, the Bureau:

- requests final contract billings from any firm that has been involved in the project and makes final payment, if needed;
- settles financially with the FAA and divides the remaining costs between the airport owner and the state according to established participation percentages.

- settles financially with the airport owner after supplying a final financial statement; and
- closes the financial record on the WisDOT financial accounting system.

## **Airport Owner Responsibility**

The consultant engineer, the Bureau and the airport owner accepts the completed construction project. The airport owner takes responsibility for the operation and maintenance of all facilities and property included in the project. The owner also needs to inform the Bureau of any warranty work that needs to be accomplished within the one year period.



# APPENDIX A - DEFINITIONS

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**Advanced Land Acquisition Program (Land Loan Program.)** A program that lends state funds to owners of public-owned airports for acquisition of land essential for airport development and for approach protection.

**Agency Agreement.** An agreement between the airport owner and WisDOT. It empowers the department to act for the airport owner in the receipt and disbursement of funds, the supervision of the preparation and execution of legal documents, the supervision of the preparation of plans, specifications and the letting of contracts, the making of periodic inspections of construction, and the performance of incidental administrative acts and coordination necessary for the successful accomplishment of the project within the laws of the state and the charters, laws, ordinances and resolutions of the airport owner.

**Airport Layout Plan (ALP).** A set of engineering drawings showing existing and proposed airport facilities.

**Airport Master Plan.** A report that analyzes an airport's growth and identifies the additional facilities needed to accommodate that growth over the next twenty years. Master plans are usually a stand alone project and most appropriate for larger airports, with complex facilities and multiple services. Master plans usually include an airport layout plan.

**Airport Owner.** The county, city, village, township, corporation or other entity which owns and operates a public-use airport.

**Eminent Domain.** A governmental right to acquire private property for public use by condemnation and the payment of just compensation.

**Exhibit A Map.** A map that identifies land proposed to be purchased for a project.

**Finding.** A document approved by the Governor which allocates state and/or federal block grant funds to the proposed project. It describes the project, gives air and water quality assurances and states the amount of federal, state and airport owner funds required for the project. A Finding also shows that, prior to financial settlement, the airport owner has complied with the conditions of TRANS 55.

**Five Year Airport Improvement Program.** A Bureau tool for scheduling individual airport projects that are eligible for federal and state assistance.

**National Plan of Integrated Airport System (NPIAS).** Identifies a system of airports throughout the country which the FAA considers are important to national transportation and are eligible to receive grants for airport improvements.

**Petition Resolution.** A resolution passed by the governing body owning the airport which formally petitions for federal and/or state aid for an airport project.

**State Airport System Plan (SASP).** A planning document which identifies state airport needs and the criteria for runway extensions, new runways, navigational aids, and pavement replacements over a 20-year period.

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